



Federal Communications Commission  
Washington, D.C. 20554

July 14, 2008

Mr. Al. Inga  
freerecdeptsrvc@optonline.net

Re: FOIA Control No. 2008-570

Dear Mr. Inga:

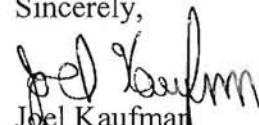
Your e-mail message of June 14, 2008, addressed "Dear Ethics Staff" requested copies of e-mails you sent to the FCC on or about April 29, 2008. We have construed your request as a Freedom of Information Act (FOIA) request and have assigned it FOIA Control No. 2008-570.

We have searched our records and located several e-mails. Copies of these e-mails are attached.

We are required to charge fees for processing FOIA requests. 5 U.S.C. § 552(a)(4)(A). You have been classified as an "all others" FOIA requester, entitling you to two free hours of search and review time, and 100 free pages of copying. No fees will accrue for processing your request.

If you consider this to be a denial of your FOIA request, you may file an application for review with the Commission's Office of General Counsel, 445 12th Street, S.W., Washington, DC 20554, within 30 days of the date of this letter, in accordance with Rule 0.461(j), 47 C.F.R. § 0.461(j).

Sincerely,

  
Joel Kaufman  
Associate General Counsel

cc: FOIA Officer  
Ethics Staff

**Laurence Schecker**

---

**To:** Mr. Inga

**Subject:** RE: Mr Berry----One additional issue that appears to be a scam....

**AT&T Counsel Intentionally Lies to District Court Judge Politan In An Effort to Delay Petitioners Case**

The following involves three AT&T counsel at the time:

Edward R. Barillari: NJ Bar member

Richard H Brown: NJ Bar member

Frederick L. Whitmer NY & NJ Bar member

**Background:**

Judge Politan of the NJ District Court was waiting for the FCC to decide a transmittal No. 9229. Initially transmittal 8179 was going to answer Judge Politan's question but AT&T withdrew it because the FCC informed AT&T that the proposed tariff change under (Transmittal change Tr. 8179) would only go into affect prospectively and therefore would not prohibit petitioners Jan 13<sup>th</sup> 1995 "traffic only" transfer. AT&T counsel withdrew the tariff transmittal in the 11th hour instead of facing adverse determination which would end the case against it.

AT&T never informed petitioners that it pulled the Tr. 8179 on June 2<sup>nd</sup> 1995. When petitioners finally found out, AT&T told the Judge Politan that it was replacing Transmittal 8179 with Transmittal 9229 and that new Tr. 9229 transmittal would answer the question as to whether petitioners could transfer its \$54 million in billing from 28% to 66% discount.

Transmittal 9229 was filed by AT&T on Oct 26<sup>th</sup> 1995 and went into affect as a new prospective AT&T tariff amendment on November 9<sup>th</sup> 1995.

Three months after AT&T's FCC filing on **Jan 23<sup>rd</sup> 1996** the petitioners and AT&T were back in Court before Judge Politan who wanted to know what the status was of Tr 9229 at the FCC.

AT&T counsel Mr Frederick L. Whitmer multiple times lied to Judge Politan that Tr 9229 was **still pending at the FCC** and AT&T counsels Mr Barillari and Mr Brown sat at the table and never corrected Mr Whitmer. AT&T counsel lied to Judge Politan to delay the proceedings for as long as possible.

Here at **exhibit Q** is the relevant excerpts of the transcription of the Jan 23<sup>rd</sup> 1996 oral argument in which AT&T counsel Fred Whitmer lies to the Judge Politan multiple times to delay the case.

The evidence shows that Mr Whitmer under pressure from Judge Politan during the same Jan 1996 oral argument hearing directed the Court's attention to a November 1995 certification at para 15 of his co-counsel Richard Meade.

The Meade certification explained at para 15 that AT&T's solution to the problem it had with section 2.1.8 was that when "traffic only" was transferred it would separate the non transferred plans revenue commitment and shortfall and termination obligations from the revenue that is being transferred; so AT&T's answer was to ask the transferor customer to put up deposits if it transferred a lot of traffic so AT&T would be able to collect shortfall charges.

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Petitioners counsel Mr Helein got a hold of Judge Politan's attention and told Judge Politan to look at the very next paragraph (16) in AT&T counsel Mr Meade's certification, **here as exhibit R**, which confirmed that Tr 9229 already went into effect.

Transmittal 9229 was not pending before the FCC as Mr Whitmer lied it was, as it went into affect months earlier in November 1995. Mr Whitmer simply lied to the NJ District Court in an attempt to delay the case even longer.

Mr Whitmer had in his hands on Jan 23<sup>rd</sup> 1996 the November 1995 certification by AT&T counsel Mr. Meade. Mr. Whitmer's, co-counsels in Court that day (Mr Barillari and Mr Brown) did not offer to correct Mr Whitmer as Mr Barillari and Mr Brown were complicit in Mr Whitmer's intentional lie to the NJ District Court.

Mr Whitmer is being afforded the opportunity to explain why he intentionally lied to Judge Politan in Jan 1996 that transmittal 9229 was still pending when Mr Whitmer knew it was already FCC approved in Oct 1995 and took effect November 9th 1995.

Mr Brown please explain why you did not interject and correct your co-AT&T counsel as Mr Whitmer avoided answering Judge Politan's question regarding Tr 9229 status for a substantial amount of time. Please also forward this to AT&T counsel Mr. Edward R. Barillari for his comments.

Mr Whitmer is no longer an AT&T counsel and he is being copied in this email to allow him to explain what appears to be an egregious mispresentation to Judge Politan. Intentionally attempting to scam a federal judge is a very serious ethics violation. While it was Mr Whitmer who put on the show the other two AT&T counsels never corrected Mr Whitmer and also must be punished to a lesser extent. Mr Whitmer is the author of"

*Litigation Is War, Strategy and Tactics for Litigation Battlefield* (West Legalworks, 2007)

It appears that part of his war strategy is to lie to Federal Judges. We do not think the FCC ethics staff would agree of such a strategy, nor would the NJ and NY ethics boards for which the legal war strategist Mr Whitmer is a member of.

We will give these 3 counsels the opportunity to explain what appears to be their unethical actions or non actions before Judge Politan and maybe no ethics claims will be brought against them.

We believe that these counsels should have the right to address their actions before the filing of ethics complaints to possibly avoid such a filing.

Sincerely.

Mr Inga Pres

Tips

----- Original Message -----

From: [Mr. Inga](#)

To: [Mr. Inga](#) ; [chh@commlawgroup.com](mailto:chh@commlawgroup.com) ; [adllc@aol.com](mailto:adllc@aol.com) ; [Brown, Richard](#) ; [Guerra, Joseph R.](#)

Cc: [matthew.berry@fcc.gov](mailto:matthew.berry@fcc.gov) ; [Kay Richman](#) ; [Joel Kaufman](#) ; [Patrick Carney](#) ; [Sharon Kelley](#) ; [Jane Halprin](#) ; [ETHICS-CHRON](#) ; [Deena Shetler](#)

Sent: Thursday, May 01, 2008 10:02 AM

Subject: Mr Berry-----

7/14/2008



In reviewing the draft of the ethics complaint to be filed it is important to note that the following AT&T counsel were of record which submitted the egregious lie to the DC Circuit regarding AT&T meeting the 15 day statute of limitations within 2.1.8.

AT&T counsels submitting brief to DC Circuit on April 1st 2004:

James F. Bendernagel, Jr. (Sidley Austin DC)  
 C. John Buresh. (Sidley Austin DC)  
 Michael J. Hunseder (Sidley Austin DC)  
 David W. Carpenter (Sidley Austin Chicago II)  
 Peter H. Jacoby (AT&T in house)  
 Lawrence Lafaro (AT&T in house)  
 Aryeh S. Friedman (AT&T in house)

Therefore AT&T counsel Mr Richard Brown was not involved in the DC Circuit scam and to ask him why he did not comment on that scam within his letter is not appropriate for Mr Brown to respond.

We do ask Mr Brown and Mr Guerra to contact that 7 AT&T counsel indicated above and maybe they can shed some light on why they needed to lie to the DC Circuit. If the reason is acceptable and evidence supplied we will not file an ethics complaint.

Mr Brown please contact each of these AT&T counsels and ask if they would like to comment, otherwise they can respond to the ethics boards.

We are taking the filing of ethics complaints very seriously. We are giving AT&T counsel the opportunity to defend itself and justify its actions without ethics complaints being filed against them. Not everyone would provide AT&T counsel such an opportunity.

We would like to hear from these counsels, so please contact each of them ASAP.

Thank you,  
 Mr Inga Pres  
 Tips Marketing Services, Corp.

----- Original Message -----

**From:** [Mr. Inga](#)

**To:** [chh@commllawgroup.com](mailto:chh@commllawgroup.com) ; [adllc@aol.com](mailto:adllc@aol.com) ; Brown, Richard

**Cc:** [Guerra, Joseph R.](#) ; [JACOBY, PETER - LEGAL](#) ; [matthew.berry@fcc.gov](mailto:matthew.berry@fcc.gov) ; [Mr. Inga](#) ; [Kay Richman](#) ; [Joel Kaufman](#) ; [Patrick Carney](#) ; [Sharon Kelley](#) ; [Jane Halprin](#) ; [ETHICS-CHRON](#)

**Sent:** Wednesday, April 30, 2008 9:26 PM

**Subject:** Mr Berry: AT&T counsel chose not to address everyone. Only petitioners counsel....

Dear AT&T Counsel Mr Brown

Your attached letter as usual does not provide any evidence regarding AT&T's "alter ego" position to justify filing sanctions against a non party. AT&T has simply provided zero evidence that the corporate veil has been pierced.

Mr Brown you seem to believe AT&T counsel can simply make any claim it wishes without providing evidence. Your letter comically points to your own erroneous position as your evidence.

If the FCC actually believed that Mr Inga was acting as an individual and not within his capacity as president of his companies, the FCC would not have allowed Mr Inga's companies to take opposite positions. As you are aware Mr Inga's Tips company within docket 07-278 benefit if the shortfall charges are legit and Mr Inga's other 4 companies

under docket 06-210 benefit if the shortfall charges are **not** legit. In fact ---The FCC has already decided that Mr Inga is not personally involved in either case.

AT&T motioned for sanctions against Mr Inga "personally" was simply done because AT&T sought to harass Mr Inga. As you are aware Mr Inga is not personally a petitioner nor did Mr Inga ever make a public comment!

If your attached letter is the type of nonsense that you are going to present to the various ethics boards as evidence of AT&T's counsels justification to ask for sanctions against a non party you need to start looking for a new career as you are going to be disbarred; especially with this latest "no evidence" letter.

As you are aware under FCC rules there is no punishment available to the FCC against an individual within a declaratory ruling proceeding--let alone the FCC issuing sanctions against a NON-PARTY. There has never been a declaratory ruling case dismissed, as the FCC's only job within a declaratory ruling proceeding is to interpret non disputed facts.

Additionally, why didn't AT&T counsel address in its letter its intentional scam on the DC Circuit whereby AT&T counsel falsely advised the DC Circuit that the traffic transfer was denied within the 15 day statute of limitations period within section 2.1.8 C. Scamming the DC Circuit in AT&T's case vs. the FCC is a very serious ethics violation.

AT&T counsel is able to get away with not addressing its scam job on the DC Circuit within the public comments proceeding, but AT&T will not enjoy such a privilege before the ethics boards.

Don't send us any more letters trying to justify AT&T counsels actions unless you have them filled with evidence to support your position. The ethics boards look at evidence not AT&T positions. You better come up with a much better defense than the nonsense in the attached letter.

You were better off begging the FCC for forgiveness rather than trying justify your unethical conduct. without evidence.

AT&T counsels massive scam has wasted the Commissions valuable resources and it is time someone at the FCC makes future AT&T counsel understand that the Commission will not tolerate AT&T harassment and lies.

Mr Berry ---AT&T has stated that the ethics complaint must be filed under cover, as AT&T counsel does not want it to be made public. Is this mandatory?

Sincerely,

Al Inga Pres  
Tips Marketing Services, Corp.

-----Original Message-----

From: Brown, Richard <[rbrown@daypitney.com](mailto:rbrown@daypitney.com)>

To: [adllc@aol.com](mailto:adllc@aol.com)

Cc: Guerra, Joseph R. <[jguerra@Sidley.com](mailto:jguerra@Sidley.com)>

Sent: Wed, 30 Apr 2008 5:32 pm

Subject: CCI v. AT&T

Frank, please see attached.

7/14/2008

Regards, Rich  
Richard Brown  
Day Pitney LLP  
7 Times Square  
NY, NY 10036  
212-297-5854 (v)  
212-916-2940 (fax)  
and  
P.O. Box 1945  
Morristown, NJ 07962  
973-966-8119 (v)  
[rbrown@daypitney.com](mailto:rbrown@daypitney.com)



**Laurence Schecker**

**From:** Mr. Inga [freerecdeptsrv@optonline.net]  
**Sent:** Thursday, May 01, 2008 10:03 AM  
**To:** Mr. Inga; chh@commlawgroup.com; adllc@aol.com; Brown, Richard; Guerra, Joseph R.  
**Cc:** Matthew Berry; Kay Richman; Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON; Deena Shetler  
**Subject:** Mr Berry----

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We would like to hear from these counsels, so please contact each of them ASAP.

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Regards, Rich

Richard Brown

Day Pitney LLP

7 Times Square

NY, NY 10036

212-297-5854 (v)

212-916-2940 (fax)

and

P.O. Box 1945

Morristown, NJ 07962

973-966-8119 (v)

[rbrown@daypitney.com](mailto:rbrown@daypitney.com)

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**To:** chh@commlawgroup.com; adllc@aol.com; Brown, Richard  
**Cc:** Guerra, Joseph R.; JACOBY, PETER - LEGAL; Matthew Berry; Mr. Inga; Kay Richman; Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON  
**Subject:** Mr Berry: AT&T counsel chose not to address everyone. Only petitioners counsel....  
**Attachments:** Arleo\_4.30\_ltr.pdf

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Subject: CCI v. AT&T

Frank, please see attached.

Regards, Rich

Richard Brown

Day Pitney LLP

7 Times Square

NY, NY 10036

212-297-5854 (v)

212-916-2940 (fax)

and

P.O. Box 1945

Morristown, NJ 07962

973-966-8119 (v)

[rbrown@daypitney.com](mailto:rbrown@daypitney.com)

7/14/2008



**Laurence Schecker**

---

**From:** Mr. Inga [freerecdeptsrv@optonline.net]  
**Sent:** Tuesday, April 29, 2008 9:35 AM  
**To:** Mr. Inga; Kay Richman; Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON  
**Cc:** adllic@aol.com; Guerra, Joseph R.; Brown, Richard; JACOBY, PETER - LEGAL; Matthew Berry  
**Subject:** Mr Berry-- Additional unethical AT&T counsel behavior will be presented next week. Disbarment is in order.

Dear AT&T & FCC Staff

Yesterday notice was given to AT&T counsel that an ethics complaint will be filed next week with the FCC, DC Bar Ethics Board and NJ Ethics Board regarding AT&T counsels unethically harassing an individual by filing a sanctions request against that individual that was a non-party in the case.

We will also bring one additional ethics complaint to the 3 ethics boards mentioned above. An ethics complaint will be filed due to AT&T counsels intentionally lying to the DC Circuit panel in AT&T's appeal of the FCC Oct 2003 Decision.

Below is the first draft of the account of this egregious intentional lie to the DC Circuit panel. Without this intentional lie the DC Circuit, following the law, would have ended the case against AT&T in 2005 due to statute of limitations provision within the tariff. This was a critical lie that was intentionally done by several AT&T counsels, all of whom will be indicated in the ethics complaint.

This information was brought to the FCC's attention in the public comments within the case 06-210 that is pending decision. AT&T of course totally ignored Petitioners comments despite the issue having been brought up a few times, as AT&T counsel understood it was caught in an intentional lie to the DC Circuit.

AT&T counsels intentional scamming of the DC Circuit Court was done in order to protect its client from possibly paying over \$100 million in damages and is an obvious and very serious ethics infraction. Concocting an egregious lie avoid enormous damages must be dealt with by the ethics boards by nothing less than **disbarment**.

Here is a draft overview of AT&T counsels scam job on the DC Circuit.....

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**Intentionally Lying that the 15 Day Statute of Limitations Date was Made**

Legal action was brought against AT&T by 2 aggregators to obtain AT&T discount plans called Contract tariff 516, (CT-516) that offered 66% discount on only \$4.2 million in billing. Despite the fact that petitioners had \$54.6 million in billing AT&T would not provide the same discounts to petitioners so petitioners attempted to transfer most of its accounts from its 28% discount plan to the 66% plan.

Here as **exhibit E**, are the 9 AT&T authorized Transfer of Service Agreement (TSA) forms and the cover sheet used to

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transfer the accounts to Public Service Enterprises (PSE) on Jan 10<sup>th</sup> 1995 and PSE counter signed and AT&T confirmed receiving PSE's order via fax on **Jan.13<sup>th</sup> 1995**.

Here as is a letter dated **February 6<sup>th</sup> 1995** sent to petitioners warning petitioners that under the AT&T tariff the plans revenue commitment and the associated shortfall and termination obligations must stay with the non transferred plan. Therefore it was AT&T's concern that the petitioners were not going to be able to meet its non transferred plans tariffed revenue commitment if its account traffic is being transferred to PSE. The plans in total had already met their revenue commitment and were immune from shortfall and termination obligations in any event due to having been initially subscribed to prior to June 17<sup>th</sup> 1994, and thus could be restructured without penalty.

The account transfer was done under section 2.1.8 of AT&T's tariff which is here as **exhibit G** and is being taken from page 6 footnote 46 from the FCC's 2003 Decision on this case. Look at paragraph 2.1.8 C of 2.1.8:

C. The Company (i.e. AT&T) acknowledges the transfer or assignment in writing. The acknowledgement will be made within 15 days of receipt of notification.

#### **THE INTENTIONAL AT&T LIE:**

**Exhibit H** is the cover page of AT&T's brief to the DC Court of Appeals showing the AT&T counsel involved and page 9 of that brief which contains the intentional lie. The lie is that AT&T stated:

“AT&T denied this second proposed transfer to PSE on January 27<sup>th</sup> 1995”.

AT&T intentionally made up this date as a notification to deny the account transfer date within its April 1<sup>st</sup> 2004 brief to the DC Court because it was within the statutory 15 day requirement under section 2.1.8. The made up date of Jan 27<sup>th</sup> 1995 was within 15 days of the Jan 13<sup>th</sup> 1995 order submission found here at exhibit E. However if you take a look at **exhibit F** you will see that the date of AT&T's first letter is **February 6<sup>th</sup> 1995**. The February 6<sup>th</sup> 1995 letter was not a denial letter. It was a warning letter. AT&T simply lied to Judges Tatel, Ginsberg and Judge Roberts (now the head of the Supreme Court).

Here as **exhibit I** is the NJ District Court's May 1995 non vacated Decision page 20 para 1. The Judge clearly made it known that the tariff-mandated notification of disapproval within 15 days:

The parties properly executed the TSA's and **did not receive any notification of disapproval within the tariff-mandated fifteen day period**, and came to believe – **justifiably** – that the transfer had been **approved** and that CCI was the new customer of record on the plans.

The reason why the lie is so egregious is because AT&T denied the account transfer well after the 15 day statute of limitations date, and thus the transfer should have gone through. The obvious reason why AT&T's counsel intentionally

lied 9 years after the fact in April 2004 without providing any evidence was because AT&T understood the importance of that date and knew it had to lie to prevent the DC Circuit from ruling AT&T failed the statute of limitations date and the transfer must go through.

AT&T's statement is not only a blatant lie but actually serves to show that AT&T understood section 2.1.8's 15 day statute of limitations provision at 2.1.8(c). AT&T obviously did not provide any evidence to the DC Circuit of such a denial, to either petitioner's President Mr Inga, CCI's president Mr .Shipp or PSE's president Mr Scardino. PSE was a co-plaintiff party along with petitioners and CCI before Judge Politan in 1995 before dropping out because its interests were being pursued by the remaining two plaintiffs. No dismissal notification was sent to any of the parties as Judge Politan understood. AT&T did not assert it denied the transfer within 15 days until 9 years later in 2004!

Please review exhibit F which is the actual first contact by AT&T concerning the "traffic only" transfer, and it was made on February 6<sup>th</sup> 1995 to petitioners then counsel Mr. Curtis Meanor.

Dear Mr Meanor:

**Two matters respecting your client, Alfonse Inga, require immediate attention.** The first...

(OMITTED HERE AS NOT RELEVANT)

.....The second matter is of equally serious concern. We have reason to believe that Mr. Inga **is attempting** to transfer end users from existing plans that have over \$50 million on commitments. Mr. Inga's efforts to transfer these end users and leave the plans intact with their commitments, but without the ability to satisfy those commitments, appears to us to be an attempt to defraud AT&T by obtaining the benefits of a transfer of service and at the same time deprive AT&T of the commitments made to obtain that service. AT&T will seek to enforce its rights in the event shortfall and termination charges become due under the tariff and will hold Mr. Inga personally liable for his conduct intended to deprive AT&T of its tariff charges. If this strategy is intended by Mr Inga to culminate in the bankruptcy of his affiliated companies, **AT&T intends to object to these transfers** as fraudulent under section 523 (a) (2) of the Bankruptcy Code and to pursue any available rights AT&T has.

**Please bring these matters to your client's attention immediately and advise me of his response.**

Very truly yours,

Frederick L Whitmer

CC: Edward R. Barillari, Esq.

END OF LETTER

Notice these statements in the AT&T counsel Whitmer letter:

**"Two matters respecting your client, Alfonse Inga, require immediate attention"**

**"is attempting"**

**"AT&T "intends" to object to these transfers"**

**Please bring these matters to your client's attention immediately and advise me of his response.**

Obviously these AT&T statements -----of its head outside counsel Mr Whitmer and copied to its head inside counsel Mr Barrillari----- which were made 2/6/95 was **after** AT&T's alleged 1/27/05 denial. **These AT&T counsel Whitmer statements would have never been made had a denial already been issued.**

7/14/2008



Obviously this February 6<sup>th</sup> 2007 letter was the first contact by AT&T regarding petitioners “traffic only” transfer. Obviously there was no previous Jan 27<sup>th</sup> 1995 denial. After 9 years AT&T simply asserted for the first time ever that it denied the “traffic only” transfer within 15 days.

In fact this February 6<sup>th</sup> 1995 letter was not even a denial of the “traffic only” transfer. Mr. Whitmer’s letter was simply a warning—not a denial—and was baseless given the fact that the plans commitment had already been met and the plans were pre June 17<sup>th</sup> 1994 immune from shortfall and termination charges.

Petitioners brought up the 15 day statute of limitation within its 9/27/06 FCC filing on page 19 para 58:

The date of the initial warning letter is 2/6/05 and the TSA’s were counter signed 1/13/05; thus it is an undisputed fact that AT&T failed 2.1.8’s 15 day statute of limitations.

AT&T didn’t respond to petitioners within its Dec 20<sup>th</sup> 2006 initial FCC comments nor AT&T’s Jan 31<sup>st</sup> 2007 FCC comments regarding AT&T having failed to deny the “traffic only” transfer within 15 days. AT&T bogusly argued to the FCC in 2006 and 2007 that the 15 days was not a statute of limitations date to deny the “traffic only” transfer.

As the First District Court Decision of May 1995 indicates AT&T never refuted that it blew section 2.1.8’s statute of limitations date of 15 days. No one would believe that if AT&T had actually denied the “traffic only” transfer within 15 days that AT&T simply forgot to tell the Judge Politan during 1995 and 1996!!!

The reason why AT&T did not lie in its Dec 20<sup>th</sup> 2006 & Jan. 31<sup>st</sup> 2007 FCC comments that it did deny the “traffic only” transfer within 15 days is

- 1) the FCC would realize that AT&T clearly understood that under section 2.1.8(c) the 15 days is a hard statute of limitations date and
- 2) the AT&T February 6<sup>th</sup> 1995 letter had already been submitted as evidence by petitioners in its opening filing on 9/27/06. AT&T knew that if the FCC staff read the February 6<sup>th</sup> 1995 letter and AT&T simultaneously asserted that it denied the “traffic only” transfer within 15 days, the Commission would surely recognize AT&T was scamming the FCC.

AT&T’s egregious intentional lie to the DC Circuit only serves to show that AT&T clearly understood the critical importance of the 15 days and therefore why AT&T counsel intentionally lied.

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----- Original Message -----

**From:** [Mr. Inga](#)

**To:** [Kay Richman](#) ; [Joel Kaufman](#) ; [Patrick Carney](#) ; [Sharon Kelley](#) ; [Jane Halprin](#) ; [ETHICS-CHRON](#)

**Cc:** [adlIC@aol.com](#) ; [Guerra, Joseph R.](#) ; [Brown, Richard](#) ; [JACOBY, PETER - LEGAL](#) ; [Deena Shetler](#) ; [fcc@bcpiweb.com](#)

**Sent:** Monday, April 28, 2008 12:24 PM

7/14/2008

**Subject:** Kay Richman--AT&T will be given one last chance before the FCC's Matthew B. Berry is contacted.

To AT&T and the FCC

I am willing to provide AT&T counsel one last opportunity to review its actions and drop AT&T's sanctions request prior to the ethics complaint being filed against AT&T counsel due to counsels filing of a sanctions request against Mr Inga personally who was never a party in Mr Inga's companies cases against AT&T.

Should AT&T counsel fail to drop its sanctions request after affording counsels the opportunity to carefully review and correct its actions should be taken into consideration by the FCC and the DC ethics board as egregious willful counsel misconduct; especially after allowing AT&T counsel careful re-consideration of its unethical actions.

The AT&T counsels that are currently of record that are involved in filing sanctions against the non-party Mr Inga are:

Paul K. Mancini  
Gary L. Phillips  
Peter H. Jacoby  
Joseph R. Guerra  
Richard H. Brown

The DC Ethics board advised Mr Inga that bringing claims against non parties is a very serious attorney ethics violation, and thus severe punishment against AT&T counsel will be requested within an ethics filing next week should AT&T counsel not drop its sanctions claims this week.

The FCC and DC Bar Ethics staffs simply can not tolerate strong arm tactics from huge law firms and goliath powers like AT&T. This is yet another demonstration of the maliciousness with which AT&T has defended its case, tying up the case for 13 years.

Nothing less than disbarment of each AT&T counsel must be ordered by the DC Bar and FCC ethics boards if AT&T counsel does not take advantage of being able to review its undeniable unethical actions and drop the AT&T sanctions claims after counsel had the ability to carefully review and correct its course of action.

Mr. Inga  
973 618 9906

----- Original Message -----

**From:** [Kay Richman](#)

**To:** [4hiteccalendars@optonline.net](mailto:4hiteccalendars@optonline.net)

**Cc:** [Joel Kaufman](#) ; [Patrick Carney](#) ; [Sharon Kelley](#) ; [Jane Halprin](#) ; [ETHICS-CHRON](#)

**Sent:** Thursday, March 20, 2008 3:57 PM

**Subject:** RE: Pat Carney--- FCC Ethics Complaint Manager

Mr. Inga - I was able to get some information for you. You can file a complaint with the Commission's General Counsel, Matthew B. Berry. Address: Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. We take no



[view on the filing of complaints with state bars but our rules do not preclude such filings.](#)

Kay Richman  
Federal Communications Commission  
[kay.richman@fcc.gov](mailto:kay.richman@fcc.gov)

---

**From:** Municipality News [mailto:4hiteccalendars@optonline.net]  
**Sent:** Wednesday, March 19, 2008 11:59 AM  
**To:** Kay Richman; Patrick Carney  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com); [chh@commmlawgroup.com](mailto:chh@commmlawgroup.com); Joel Kaufman  
**Subject:** Fw: Pat Carney--- FCC Ethics Complaint Manager

Joel Kaufman

I was told to send this to you by Kay Richman.

Which FCC ethics division can address an ethics complaint in which AT&T counsel filed sanctions against a non party in FCC docketed case 06-210?

Kay said that her division is not the one that would address this AT&T counsel misconduct.

AT&T counsel has advised my counsel that our sole recourse is to bring an ethics complaint to the FCC--as AT&T does not want any part of the State Bars ethics committee.

Please review the emails below starting from bottom up.

We understand you are tied up until next week, so hopefully we can explain the entire situation next week.

Al Inga  
973 618 9906

----- Original Message -----

**From:** [Mr. Inga](mailto:Mr.Inga)  
**To:** [patrick.carney@fcc.gov](mailto:patrick.carney@fcc.gov)  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com) ; [chh@commmlawgroup.com](mailto:chh@commmlawgroup.com)  
**Sent:** Wednesday, March 19, 2008 10:46 AM  
**Subject:** Pat Carney--- FCC Ethics Complaint Manager

Mr. Carney

Please call me when you are available. If you are not available then please have one of your staff call me.

I need some information regarding filing an ethics complaint.

Additionally AT&T counsel is arguing that my **sole recourse** is to only file an ethics complaint at the FCC under cover and not file with State Bar ethics Committee's. It appears by AT&T's below letter, that AT&T counsel believes that its fate will be better with the FCC deciding its fate and not the State Bars.

Does the FCC ethics staff know of some FCC rule that prohibits the filing of a simultaneous ethics complaint at the State Bar and the FCC? The DC Bar ethics committee has advised us that it has no issue with an ethics complaint being filed before both the State Bar and the FCC. (See below emails--Read from bottom up. )

AT&T has filed for sanctions against a non party in the pending FCC case 06-210 namely me personally ( Al Inga). However Mr Inga is not personally a party in the case nor has Mr Inga personally even filed any FCC comments. Furthermore Mr. Inga's companies are represented by counsel and finally Mr Inga is not an attorney.

AT&T counsel simply brought legal action against Mr Inga personally to harass Mr Inga, despite the fact that he personally is not involved in the case.

7/14/2008



Additionally AT&T does not provide evidence nor even argue that the corporate veil has been pierced. AT&T simply files sanction against Mr Inga personally to harass Mr Inga who is President of the companies that have enormous damage claims against AT&T.

The DC State Bar ethics committee counsel manager Sara Bromberg has advised us that it is a very serious ethics issue if legal actions are brought against non parties and we believe the FCC ethics staff also agrees with the DC Bar ethics committee.

AT&T counsel is very upset that petitioners will not take AT&T settlement offer and have warned petitioners that if it does not take the offer the case will not come to a resolution for what AT&T said: "several years."

Our FCC contact person is Deena Shetler and she is very familiar with the 13 year scam of both the Courts and the FCC that AT&T counsel have engaged in.

Thank you,  
Al Inga  
973 618 9906  
Pending FCC Cases  
06-210 and 07-278

----- Original Message -----

**From:** [Mr. Inga](#)  
**To:** [Sara Bromberg](#)  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com) ; [chh@commlawgroup.com](mailto:chh@commlawgroup.com) ; [Brown, Richard](#) ; [JACOBY, PETER - LEGAL](#) ; [Guerra, Joseph R.](#)  
**Sent:** Wednesday, March 19, 2008 9:58 AM  
**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Thank you,  
Al Inga Pres

----- Original Message -----

**From:** [Sara Bromberg](#)  
**To:** [Mr. Inga](#)  
**Sent:** Wednesday, March 19, 2008 9:50 AM  
**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Mr. Inga,

Here is a link to access our complaint form online:  
[http://www.dcbar.org/for\\_the\\_public/working\\_with\\_lawyers/when\\_problems\\_arise/filing.cfm](http://www.dcbar.org/for_the_public/working_with_lawyers/when_problems_arise/filing.cfm)

Please download the form, fill it out, and mail the original form along with any documents (these can be photocopies) you would like to submit to the address listed on the form. Once you file the complaint, it will be assigned to an attorney in our office for review. You do not need to make a request as to punishment, that will be determined by our office if a violation of the Rules of Professional Conduct is found.

Sara Bromberg

-----Original Message-----

**From:** Mr. Inga [<mailto:freerecdeptsrv@optonline.net>]  
**Sent:** Wednesday, March 19, 2008 9:30 AM  
**To:** Sara Bromberg  
**Cc:** [chh@commlawgroup.com](mailto:chh@commlawgroup.com); [adllc@aol.com](mailto:adllc@aol.com); [Guerra, Joseph R.](#); [JACOBY, PETER - LEGAL](#); [Brown, Richard](#)  
**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Ms Bromberg

Thank you for the quick response (below) .

May I email in the complaint or does it have to be mailed in?

Do we within our complaint ask for the degree of punishment (example: disbarment), or do we make no request as to punishment and simply leave the degree of punishment up to the Committee?

Al Inga Pres  
Tips Marketing Services, Corp.

----- Original Message -----

**From:** Sara Bromberg

**To:** Mr. Inga

**Sent:** Wednesday, March 19, 2008 9:06 AM

**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Mr. Inga,

You may file an ethics complaint with our office at any time no matter if you are also filing a complaint with the FCC.

Sincerely,

Sara Bromberg

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Tuesday, March 18, 2008 8:47 PM

**To:** Brown, Richard; [adllc@aol.com](mailto:adllc@aol.com); Sara Bromberg

**Cc:** [chh@commlawgroup.com](mailto:chh@commlawgroup.com); JACOBY, PETER - LEGAL; Guerra, Joseph R.

**Subject:** Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Office of Bar Counsel  
The Board on Professional Responsibility  
District of Columbia Court of Appeals

Hi Ms. Sara Bromberg

Back on February 1st 2008 you were asked whether counsel knowingly bringing legal claims against a non party was an ethics violation and you said it was a very serious ethics violation if that is what is found.

An ethics complaint will soon be filed against AT&T counsel in DC and NJ. We thought you would be interested in seeing that AT&T counsel is arguing that ethics complaints against AT&T counsel **should only be brought to the FCC**. AT&T counsel **wants no part of the State Bar ethics Committee**, and the State Bar ethics committee shall soon see why.

Below is AT&T counsel's latest email and below that our reply. Are we precluded from filing an ethics violation with the State Bar if we file an ethics complaint at the FCC? We have not filed any complaint as of yet.

Mr. Joseph Guerra and Mr. Peter Jacoby are DC counsel. Mr. Brown is a NJ counsel and we shall check with the NJ Bar ethics committee and see what its position is.

Please let us know what your position is regarding simultaneous filings with your office and with the FCC.



Al Inga Pres  
Tips Marketing Services, Corp.

**From:** Brown, Richard

**To:** adllc@aol.com

**Cc:** chh@commlawgroup.com ; JACOBY, PETER - LEGAL ; Guerra, Joseph R. ; Mr. Inga

**Sent:** Tuesday, March 18, 2008 6:42 PM

**Subject:** RE: Dena Case 06-210 February 7th 2008

Dear Frank:

AT&T has received the below email from Mr. Inga. As part of Mr. Inga's many filings, he has repeatedly accused AT&T and its counsel of lying in papers to the Commission. His charges that AT&T's lawyers violated their ethical obligations are utterly baseless, and we expect the Commission's adjudication in this matter will put an end to his spurious claims. However, if Mr. Inga intends to pursue these groundless accusations further, his sole recourse would be to lodge a claim with the FCC's Office of General Counsel in accordance with Section 1.24(d) of Commission's rules. That office is charged with determining ethical violations under Sections 0.41(l) and 1.24 of the Commission's rules. Given this remedy, and the fact that the Commission is already entertaining competing sanctions requests, it would plainly be improper for Mr. Inga to raise these same baseless claims with state bar associations. Raising ethical issues with a state bar association is not only wasteful and inefficient, but disrespectful to the FCC itself, which is fully capable of deciding whether AT&T has engaged in any ethical violations and fully capable of punishing any such misconduct.

Regards, Rich

DEAR MR RICHARD BROWN

If petitioners sole recourse was to only bring ethics complaints to the FCC the State Bar would not have an ethics complaint section.

AT&T simply knows that the State Bar ethics committee is less apt to put up with AT&T counsel nonsense; like filing sanctions requests against Mr Inga personally when he was never a party in the 06-210 docket nor the 07-278 docket and never made any comments.

The DC Bar has already advised petitioners that bringing claims against a non party is a very severe ethics violation which in and of itself may warrant disbarment, particularly when Mr Inga made multiple requests to AT&T to review its bringing of sanctions requests against the non party and AT&T was asked to drop the sanctions requests and responded that it is not recinding anything.

We shall see if AT&T counsel has the same level of testosterone before the State Bar. AT&T knows full well that the State Bars will provide a proverbial castration of AT&T counsel to relieve AT&T counsel of its high levels of testosterone.

Petitioners were not planning at all to file an ethics complaint with the FCC. Petitioners were only going to file with each State ethics committee; however it was Mr Brown who advised petitioners that it should file with the FCC. So we shall do both as both are available to petitioners.

The Commission can not entertain sanctions requests within a declaratory ruling proceeding and if it could the only party that would be sanctioned would be AT&T.

You say that raising ethics complaints with the State Bar is "wasteful and inefficient" however the FCC is not being asked to review the State Bar findings. Additionally petitioners seriously doubt that the State Bar ethics committee would agree that its committee is wasteful and inefficient. We also doubt that the State Bars will find filing sanctions as you sate: "improper."

Petitioners were planning to soon file its sanctions request with the FCC and multiple State Bars on just the issue of bringing sanctions against a non party. After the FCC rules petitioners will use the FCC decision, which will no doubt will be in petitioners favor, to support additional petitioner ethics claims.



Al Inga Pres  
Tips Marketing Services, Corp

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrvc@optonline.net]  
**Sent:** Tuesday, March 11, 2008 7:32 PM  
**To:** Brown, Richard; adllc@aol.com; fcc@bcpiweb.com; Deena Shetler  
**Cc:** chh@commlawgroup.com; JACOBY, PETER - LEGAL; Guerra, Joseph R.; ajdmm@optonline.net  
**Subject:** Re: Dena Case 06-210 February 7th 2008

Mr Brown

Is it AT&T's position that petitioners can only file an ethics complaint before the FCC's OGC and not the State Bar ethics committee?

Al Inga Pres  
Tips

----- Original Message -----

**From:** Brown, Richard  
**To:** adllc@aol.com  
**Cc:** lgsjr@usa.net ; Joe Kearney ; chh@commlawgroup.com ; Mr. Inga ; JACOBY, PETER - LEGAL ; Guerra, Joseph R.  
**Sent:** Friday, February 08, 2008 3:55 PM  
**Subject:** FW: Dena Case 06-210 February 7th 2008

Dear Frank:

AT&T has received the email below from Mr. Inga, along with his Feb. 7 letter (copy attached). For the reasons stated in my February 5, 2008 letter to the Commission staff (on which you were copied), Mr. Inga's construction of Section 1.17 of the Commission rules is erroneous. In all events, however, Section 1.24(a)(4) of the Commission's rules regarding attorney discipline is not limited to violations of Section 1.17. Accordingly, if Mr. Inga believes (contrary to fact) that AT&T's counsel have engaged in any misconduct in this proceeding, his recourse is to lay that claim before the Office of General Counsel under seal, in accordance with Section 1.24(d) of Commission's rules.

Rich Brown

Richard H. Brown  
Day Pitney LLP  
P.O. Box 1945  
Morristown, New Jersey 07962  
973-966-8119 (voice)  
973-966-1015 (efax)  
and  
7 Times Square  
New York, NY 10036  
212-297-5854 (voice)  
rbrown@daypitney.com

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrvc@optonline.net]  
**Sent:** Thursday, February 07, 2008 11:23 AM  
**To:** Deena Shetler; fcc@bcpiweb.com; Guerra, Joseph R.; Brown, Richard; chh@commlawgroup.com; adllc@aol.com; Phil Okin; lgsjr@usa.net; Joe Kearney; rbrosen@hlglaw.com; JACOBY, PETER - LEGAL  
**Subject:** Dena Case 06-210 February 7th 2008

Deena:

The law at 1.17 is very clear:

An attorney may be subjected to appropriate **disciplinary action**, pursuant to Sec. 1.24, for a willful violation of **this section**

Sec. 1.24 Censure, suspension, or disbarment of attorneys.

Unfortunately for petitioners AT&T can not get sanctioned because the **disciplinary action** under 1.24 is based upon "**this section**" 1.17; however 1.1.7 exempts the parties within a declaratory ruling proceeding.

**Laurence Schecker**

---

**From:** Mr. Inga [freerecdeptsrvc@optonline.net]  
**Sent:** Monday, April 28, 2008 12:24 PM  
**To:** Kay Richman; Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON  
**Cc:** adllC@aol.com; Guerra, Joseph R.; Brown, Richard; JACOBY, PETER - LEGAL; Deena Shetler; fcc@bcpiweb.com  
**Subject:** Kay Richman--AT&T will be given one last chance before the FCC's Matthew B. Berry is contacted.

To AT&T and the FCC

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Gary L. Phillips  
Peter H. Jacoby  
Joseph R. Guerra  
Richard H. Brown

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Mr. Inga  
973 618 9906

7/14/2008

----- Original Message -----

**From:** Kay Richman

**To:** [4hiteccalendars@optonline.net](mailto:4hiteccalendars@optonline.net)

**Cc:** Joel Kaufman ; Patrick Carney ; Sharon Kelley ; Jane Halprin ; ETHICS-CHRON

**Sent:** Thursday, March 20, 2008 3:57 PM

**Subject:** RE: Pat Carney--- FCC Ethics Complaint Manager

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Kay Richman

Federal Communications Commission

[kay.richman@fcc.gov](mailto:kay.richman@fcc.gov)

---

**From:** Municipality News [<mailto:4hiteccalendars@optonline.net>]

**Sent:** Wednesday, March 19, 2008 11:59 AM

**To:** Kay Richman; Patrick Carney

**Cc:** [adllc@aol.com](mailto:adllc@aol.com); [chh@commlawgroup.com](mailto:chh@commlawgroup.com); Joel Kaufman

**Subject:** Fw: Pat Carney--- FCC Ethics Complaint Manager

Joel Kaufman

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We understand you are tied up until next week, so hopefully we can explain the entire situation next week.

Al Inga  
973 618 9906

----- Original Message -----

**From:** Mr. Inga

**To:** [patrick.carney@fcc.gov](mailto:patrick.carney@fcc.gov)

**Cc:** [adllc@aol.com](mailto:adllc@aol.com) ; [chh@commlawgroup.com](mailto:chh@commlawgroup.com)

**Sent:** Wednesday, March 19, 2008 10:46 AM

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Mr. Carney

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Our FCC contact person is Deena Shetler and she is very familiar with the 13 year scam of both the Courts and the FCC that AT&T counsel have engaged in.

Thank you,  
Al Inga  
973 618 9906  
Pending FCC Cases  
06-210 and 07-278

----- Original Message -----

**From:** Mr. Inga  
**To:** Sara Bromberg  
**Cc:** adllc@aol.com ; chh@commlawgroup.com ; Brown, Richard ; JACOBY, PETER - LEGAL ; Guerra, Joseph R.  
**Sent:** Wednesday, March 19, 2008 9:58 AM  
**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Thank you,  
Al Inga Pres

----- Original Message -----

**From:** Sara Bromberg  
**To:** Mr. Inga  
**Sent:** Wednesday, March 19, 2008 9:50 AM  
**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Mr. Inga,

Here is a link to access our complaint form online:

[http://www.dcbbar.org/for\\_the\\_public/working\\_with\\_lawyers/when\\_problems\\_arise/filing.cfm](http://www.dcbbar.org/for_the_public/working_with_lawyers/when_problems_arise/filing.cfm)

Please download the form, fill it out, and mail the original form along with any documents (these can be photocopies) you would like to submit to the address listed on the form. Once you file the complaint, it will be assigned to an attorney in our office for review. You do not need to make a request as to punishment, that will be determined by our office if a violation of the Rules of Professional Conduct is found.

Sara Bromberg

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]



**Sent:** Wednesday, March 19, 2008 9:30 AM

**To:** Sara Bromberg

**Cc:** chh@commlawgroup.com; adllc@aol.com; Guerra, Joseph R.; JACOBY, PETER - LEGAL; Brown, Richard

**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Ms Bromberg

Thank you for the quick response (below) .

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Al Inga Pres

Tips Marketing Services, Corp.

----- Original Message -----

**From:** Sara Bromberg

**To:** Mr. Inga

**Sent:** Wednesday, March 19, 2008 9:06 AM

**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Mr. Inga,

You may file an ethics complaint with our office at any time no matter if you are also filing a complaint with the FCC.

Sincerely,

Sara Bromberg

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Tuesday, March 18, 2008 8:47 PM

**To:** Brown, Richard; adllc@aol.com; Sara Bromberg

**Cc:** chh@commlawgroup.com; JACOBY, PETER - LEGAL; Guerra, Joseph R.

**Subject:** Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Office of Bar Counsel  
The Board on Professional Responsibility  
District of Columbia Court of Appeals

Hi Ms. Sara Bromberg

Back on February 1st 2008 you were asked whether counsel knowingly bringing legal claims against a non party was an ethics violation and you said it was a very serious ethics violation if that is what is found.

An ethics complaint will soon be filed against AT&T counsel in DC and NJ. We thought you would be interested in seeing that AT&T counsel is arguing that ethics complaints against AT&T counsel should only be brought to the FCC. AT&T counsel wants no part of the State Bar ethics Committee, and the State Bar ethics committee shall soon see why.

Below is AT&T counsels latest email and below that our reply. Are we precluded from filing an

ethics violation with the State Bar if we file an ethics complaint at the FCC? We have not filed any complaint as of yet.

Mr Joseph Guerra and Mr Peter Jacoby are DC counsel. Mr Brown is a NJ counsel and we shall check with the NJ Bar ethics committee and see what its position is.

Please let us know what your position is regarding simultaneous filings with your office and with the FCC.

Al Inga Pres  
Tips Marketing Services, Corp.

**From:** Brown, Richard

**To:** adllc@aol.com

**Cc:** chh@commlawgroup.com ; JACOBY, PETER - LEGAL ; Guerra, Joseph R. ; Mr. Inga

**Sent:** Tuesday, March 18, 2008 6:42 PM

**Subject:** RE: Dena Case 06-210 February 7th 2008

Dear Frank:

AT&T has received the below email from Mr. Inga. As part of Mr. Inga's many filings, he has repeatedly accused AT&T and its counsel of lying in papers to the Commission. His charges that AT&T's lawyers violated their ethical obligations are utterly baseless, and we expect the Commission's adjudication in this matter will put an end to his spurious claims. However, if Mr. Inga intends to pursue these groundless accusations further, his sole recourse would be to lodge a claim with the FCC's Office of General Counsel in accordance with Section 1.24(d) of Commission's rules. That office is charged with determining ethical violations under Sections 0.41(l) and 1.24 of the Commission's rules. Given this remedy, and the fact that the Commission is already entertaining competing sanctions requests, it would plainly be improper for Mr. Inga to raise these same baseless claims with state bar associations. Raising ethical issues with a state bar association is not only wasteful and inefficient, but disrespectful to the FCC itself, which is fully capable of deciding whether AT&T has engaged in any ethical violations and fully capable of punishing any such misconduct.

Regards, Rich

DEAR MR RICHARD BROWN

If petitioners sole recourse was to only bring ethics complaints to the FCC the State Bar would not have an ethics complaint section.

AT&T simply knows that the State Bar ethics committee is less apt to put up with AT&T counsel nonsense; like filing sanctions requests against Mr Inga personally when he was never a party in the 06-210 docket nor the 07-278 docket and never made any comments.

The DC Bar has already advised petitioners that bringing claims against a non party is a very severe ethics violation which in and of itself may warrant disbarment, particularly when Mr Inga made multiple requests to AT&T to review its bringing of sanctions requests against the non party and AT&T was asked to drop the sanctions requests and responded that it is not recinding anything.

We shall see if AT&T counsel has the same level of testosterone before the State Bar. AT&T knows full well that the State Bars will provide a proverbial castration of AT&T counsel to relieve AT&T counsel of its high levels of testosterone.

Petitioners were not planning at all to file an ethics complaint with the FCC. Petitioners were only going to file with each State ethics committee; however it was Mr Brown who advised petitioners that it should file with the FCC. So we shall do both as both are available to petitioners.

The Commission can not entertain sanctions requests within a declaratory ruling proceeding and if it could the only party that would be sanctioned would be AT&T.



You say that raising ethics complaints with the State Bar is "wasteful and inefficient" however the FCC is not being asked to review the State Bar findings. Additionally petitioners seriously doubt that the State Bar ethics committee would agree that its committee is wasteful and inefficient. We also doubt that the State Bars will find filing sanctions as you state: "improper."

Petitioners were planning to soon file its sanctions request with the FCC and multiple State Bars on just the issue of bringing sanctions against a non party. After the FCC rules petitioners will use the FCC decision, which will no doubt will be in petitioners favor, to support additional petitioner ethics claims.

Al Inga Pres  
Tips Marketing Services, Corp

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Tuesday, March 11, 2008 7:32 PM

**To:** Brown, Richard; adllc@aol.com; fcc@bcpiweb.com; Deena Shetler

**Cc:** chh@commlawgroup.com; JACOBY, PETER - LEGAL; Guerra, Joseph R.; ajdmm@optonline.net

**Subject:** Re: Dena Case 06-210 February 7th 2008

Mr Brown

Is it AT&T's position that petitioners can only file an ethics complaint before the FCC's OGC and not the State Bar ethics committee?

Al Inga Pres  
Tips

----- Original Message -----

**From:** Brown, Richard

**To:** adllc@aol.com

**Cc:** lgsjr@usa.net ; Joe Kearney ; chh@commlawgroup.com ; Mr. Inga ; JACOBY, PETER - LEGAL ; Guerra, Joseph R.

**Sent:** Friday, February 08, 2008 3:55 PM

**Subject:** FW: Dena Case 06-210 February 7th 2008

Dear Frank:

AT&T has received the email below from Mr. Inga, along with his Feb. 7 letter (copy attached). For the reasons stated in my February 5, 2008 letter to the Commission staff (on which you were copied), Mr. Inga's construction of Section 1.17 of the Commission rules is erroneous. In all events, however, Section 1.24(a)(4) of the Commission's rules regarding attorney discipline is not limited to violations of Section 1.17. Accordingly, if Mr. Inga believes (contrary to fact) that AT&T's counsel have engaged in any misconduct in this proceeding, his recourse is to lay that claim before the Office of General Counsel under seal, in accordance with Section 1.24(d) of Commission's rules.

Rich Brown

Richard H. Brown  
Day Pitney LLP  
P.O. Box 1945  
Morristown, New Jersey 07962  
973-966-8119 (voice)  
973-966-1015 (efax)  
and  
7 Times Square  
New York, NY 10036  
212-297-5854 (voice)  
rbrown@daypitney.com

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Thursday, February 07, 2008 11:23 AM

**To:** Deena Shetler; fcc@bcpiweb.com; Guerra, Joseph R.; Brown, Richard; chh@commmlawgroup.com; adllc@aol.com; Phil Okin; lgsjr@usa.net; Joe Kearney; rbrosen@hlgslaw.com; JACOBY, PETER - LEGAL

**Subject:** Dena Case 06-210 February 7th 2008

Deena:

The law at 1.17 is very clear:

An attorney may be subjected to appropriate **disciplinary action**, pursuant to Sec. 1.24, for a willful violation of **this section**

Sec. 1.24 Censure, suspension, or disbarment of attorneys.

Unfortunately for petitioners AT&T can not get sanctioned because the **disciplinary action** under 1.24 is based upon "**this section**" 1.17; however 1.1.7 exempts the parties within a declaratory ruling proceeding.

**Laurence Schecker**

---

**From:** Mr. Inga [freerecdptsrv@optonline.net]  
**Sent:** Thursday, March 20, 2008 4:38 PM  
**To:** Kay Richman; Al; adllc@aol.com; chh@commlawgroup.com; Sara Bromberg  
**Cc:** Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON; Brown, Richard; JACOBY, PETER - LEGAL; Guerra, Joseph R.  
**Subject:** Re: Pat Carney--- FCC Ethics Complaint Manager

Ms Richman

Thank you for the quick response. We are glad to see that the FCC doesn't believe that it is --in AT&T's words: "disrespectful to the FCC" to file with the State Bars. And the FCC is our "sole recourse" to address AT&T counsels ethics violation.

We thought the FCC and the State Bar should be made aware of AT&T counsels assertions and we are pleased to see that these AT&T counsel assertions are viewed as nonsense by the Commission.

Al Inga Pres  
Tips Marketing Services, Corp.

----- Original Message -----

**From:** [Kay Richman](#)  
**To:** [4hiteccalendars@optonline.net](mailto:4hiteccalendars@optonline.net)  
**Cc:** [Joel Kaufman](#) ; [Patrick Carney](#) ; [Sharon Kelley](#) ; [Jane Halprin](#) ; [ETHICS-CHRON](#)  
**Sent:** Thursday, March 20, 2008 3:57 PM  
**Subject:** RE: Pat Carney--- FCC Ethics Complaint Manager

Mr. Inga - I was able to get some information for you. You can file a complaint with the Commission's General Counsel, Matthew B. Berry. Address: Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. We take no view on the filing of complaints with state bars but our rules do not preclude such filings.

Kay Richman  
Federal Communications Commission  
[kay.richman@fcc.gov](mailto:kay.richman@fcc.gov)

---

**From:** Municipality News [mailto:[4hiteccalendars@optonline.net](mailto:4hiteccalendars@optonline.net)]  
**Sent:** Wednesday, March 19, 2008 11:59 AM  
**To:** Kay Richman; Patrick Carney  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com); [chh@commlawgroup.com](mailto:chh@commlawgroup.com); Joel Kaufman  
**Subject:** Fw: Pat Carney--- FCC Ethics Complaint Manager

Joel Kaufman

I was told to send this to you by Kay Richman.

Which FCC ethics division can address an ethics complaint in which AT&T counsel filed sanctions against a non party in FCC docketed case 06-210?

Kay said that her division is not the one that would address this AT&T counsel misconduct.

AT&T counsel has advised my counsel that our sole recourse is to bring an ethics complaint to the FCC--as AT&T does not want any part of the State Bars ethics committee.

Please review the emails below starting from bottom up.

7/14/2008



We understand you are tied up until next week, so hopefully we can explain the entire situation next week.

Al Inga  
973 618 9906

----- Original Message -----

**From:** [Mr. Inga](#)  
**To:** [patrick.carney@fcc.gov](mailto:patrick.carney@fcc.gov)  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com) ; [chh@commmlawgroup.com](mailto:chh@commmlawgroup.com)  
**Sent:** Wednesday, March 19, 2008 10:46 AM  
**Subject:** Pat Carney--- FCC Ethics Complaint Manager

Mr. Carney

Please call me when you are available. If you are not available then please have one of your staff call me.

I need some information regarding filing an ethics complaint.

Additionally AT&T counsel is arguing that my **sole recourse** is to only file an ethics complaint at the FCC under cover and not file with State Bar ethics Committee's. It appears by AT&T's below letter, that AT&T counsel believes that its fate will be better with the FCC deciding its fate and not the State Bars.

Does the FCC ethics staff know of some FCC rule that prohibits the filing of a simultaneous ethics complaint at the State Bar and the FCC? The DC Bar ethics committee has advised us that it has no issue with an ethics complaint being filed before both the State Bar and the FCC. (See below emails--Read from bottom up. )

AT&T has filed for sanctions against a non party in the pending FCC case 06-210 namely me personally ( Al Inga). However Mr Inga is not personally a party in the case nor has Mr Inga personally even filed any FCC comments. Furthermore Mr. Inga's companies are represented by counsel and finally Mr Inga is not an attorney.

AT&T counsel simply brought legal action against Mr Inga personally to harass Mr Inga, despite the fact that he personally is not involved in the case.

Additionally AT&T does not provide evidence nor even argue that the corporate veil has been pierced. AT&T simply files sanction against Mr Inga personally to harass Mr Inga who is President of the companies that have enormous damage claims against AT&T.

The DC State Bar ethics committee counsel manager Sara Bromberg has advised us that it is a very serious ethics issue if legal actions are brought against non parties and we believe the FCC ethics staff also agrees with the DC Bar ethics committee.

AT&T counsel is very upset that petitioners will not take AT&T settlement offer and have warned petitioners that if it does not take the offer the case will not come to a resolution for what AT&T said: "several years."

Our FCC contact person is Deena Shetler and she is very familiar with the 13 year scam of both the Courts and the FCC that AT&T counsel have engaged in.

Thank you,  
Al Inga  
973 618 9906  
Pending FCC Cases  
06-210 and 07-278

----- Original Message -----

**From:** [Mr. Inga](#)  
**To:** [Sara Bromberg](#)  
**Cc:** [adllc@aol.com](mailto:adllc@aol.com) ; [chh@commmlawgroup.com](mailto:chh@commmlawgroup.com) ; [Brown, Richard](#) ; [JACOBY, PETER - LEGAL](#) ; [Guerra, Joseph R.](#)  
**Sent:** Wednesday, March 19, 2008 9:58 AM  
**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Thank you,  
Al Inga Pres

----- Original Message -----

**From:** [Sara Bromberg](#)

**To:** [Mr. Inga](#)

**Sent:** Wednesday, March 19, 2008 9:50 AM

**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Mr. Inga,

Here is a link to access our complaint form online:

[http://www.dcbbar.org/for\\_the\\_public/working\\_with\\_lawyers/when\\_problems\\_arise/filing.cfm](http://www.dcbbar.org/for_the_public/working_with_lawyers/when_problems_arise/filing.cfm)

Please download the form, fill it out, and mail the original form along with any documents (these can be photocopies) you would like to submit to the address listed on the form. Once you file the complaint, it will be assigned to an attorney in our office for review. You do not need to make a request as to punishment, that will be determined by our office if a violation of the Rules of Professional Conduct is found.

Sara Bromberg

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Wednesday, March 19, 2008 9:30 AM

**To:** Sara Bromberg

**Cc:** chh@commllawgroup.com; adllc@aol.com; Guerra, Joseph R.; JACOBY, PETER - LEGAL; Brown, Richard

**Subject:** Re: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Ms Bromberg

Thank you for the quick response (below) .

May I email in the complaint or does it have to mailed in?

Do we within our complaint ask for the degree of punishment (example: disbarment ), or do we make no request as to punishment and simply leave the degree of punishment up to the Committee?

Al Inga Pres

Tips Marketing Services, Corp.

----- Original Message -----

**From:** [Sara Bromberg](#)

**To:** [Mr. Inga](#)

**Sent:** Wednesday, March 19, 2008 9:06 AM

**Subject:** RE: Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

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Sincerely,

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-----Original Message-----

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**Sent:** Tuesday, March 18, 2008 8:47 PM



**To:** Brown, Richard; [adllc@aol.com](mailto:adllc@aol.com); Sara Bromberg  
**Cc:** [chh@commlawgroup.com](mailto:chh@commlawgroup.com); JACOBY, PETER - LEGAL; Guerra, Joseph R.  
**Subject:** Sara Bromberg--Office of Bar Counsel-The Board on Professional Responsibility -District of Columbia Court of Appeals

Office of Bar Counsel  
The Board on Professional Responsibility  
District of Columbia Court of Appeals

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Please let us know what your position is regarding simultaneous filings with your office and with the FCC.

Al Inga Pres  
Tips Marketing Services, Corp.

**From:** Brown, Richard

**To:** [adllc@aol.com](mailto:adllc@aol.com)  
**Cc:** [chh@commlawgroup.com](mailto:chh@commlawgroup.com) ; JACOBY, PETER - LEGAL ; Guerra, Joseph R. ; Mr. Inga  
**Sent:** Tuesday, March 18, 2008 6:42 PM  
**Subject:** RE: Dena Case 06-210 February 7th 2008

Dear Frank:

AT&T has received the below email from Mr. Inga. As part of Mr. Inga's many filings, he has repeatedly accused AT&T and its counsel of lying in papers to the Commission. His charges that AT&T's lawyers violated their ethical obligations are utterly baseless, and we expect the Commission's adjudication in this matter will put an end to his spurious claims. However, if Mr. Inga intends to pursue these groundless accusations further, his sole recourse would be to lodge a claim with the FCC's Office of General Counsel in accordance with Section 1.24(d) of Commission's rules. That office is charged with determining ethical violations under Sections 0.41(l) and 1.24 of the Commission's rules. Given this remedy, and the fact that the Commission is already entertaining competing sanctions requests, it would plainly be improper for Mr. Inga to raise these same baseless claims with state bar associations. Raising ethical issues with a state bar association is not only wasteful and inefficient, but disrespectful to the FCC itself, which is fully capable of deciding whether AT&T has engaged in any ethical violations and fully capable of punishing any such misconduct.

Regards, Rich

DEAR MR RICHARD BROWN

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Al Inga Pres  
Tips Marketing Services, Corp

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Tuesday, March 11, 2008 7:32 PM

**To:** Brown, Richard; adllc@aol.com; fcc@bcpiweb.com; Deena Shetler

**Cc:** chh@commlawgroup.com; JACOBY, PETER - LEGAL; Guerra, Joseph R.; ajdmm@optonline.net

**Subject:** Re: Dena Case 06-210 February 7th 2008

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Is it AT&T's position that petitioners can only file an ethics complaint before the FCC's OGC and not the State Bar ethics committee?

Al Inga Pres  
Tips

----- Original Message -----

**From:** Brown, Richard

**To:** adllc@aol.com

**Cc:** lgsjr@usa.net ; Joe Kearney ; chh@commlawgroup.com ; Mr. Inga ; JACOBY, PETER - LEGAL ; Guerra, Joseph R.

**Sent:** Friday, February 08, 2008 3:55 PM

**Subject:** FW: Dena Case 06-210 February 7th 2008

Dear Frank:



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Rich Brown

Richard H. Brown  
Day Pitney LLP  
P.O. Box 1945  
Morristown, New Jersey 07962  
973-966-8119 (voice)  
973-966-1015 (efax)  
and  
7 Times Square  
New York, NY 10036  
212-297-5854 (voice)  
rbrown@daypitney.com

-----Original Message-----

**From:** Mr. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Thursday, February 07, 2008 11:23 AM

**To:** Deena Shetler; fcc@bcpiweb.com; Guerra, Joseph R.; Brown, Richard; chh@commlawgroup.com; adllc@aol.com; Phil Okin; lgsjr@usa.net; Joe Kearney; rbrosen@hlglaw.com; JACOBY, PETER - LEGAL

**Subject:** Dena Case 06-210 February 7th 2008

Deena:

The law at 1.17 is very clear:

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Sec. 1.24 Censure, suspension, or disbarment of attorneys.

Unfortunately for petitioners AT&T can not get sanctioned because the **disciplinary action** under 1.24 is based upon "**this section**" 1.17; however 1.1.7 exempts the parties within a declaratory ruling proceeding.

**Laurence Schecker**

---

**Subject:** FW: Mr. Inga

---

**From:** A. Inga [mailto:freerecdeptsrv@optonline.net]

**Sent:** Tuesday, May 06, 2008 12:54 PM

**To:** Mr. Inga; chh@commlawgroup.com; adllc@aol.com; Brown, Richard; fwhitmer@thelen.com

**Cc:** Matthew Berry; Kay Richman; Joel Kaufman; Patrick Carney; Sharon Kelley; Jane Halprin; ETHICS-CHRON; Deena Shetler

**Subject:** Re: Mr Berry----One additional issue that appears to be a scam....

Given that AT&T counsels:

Edward R. Barillari: NJ Bar member

Richard H Brown: NJ Bar member

Frederick L. Whitmer NY & NJ Bar member

were advised of the possibility of an ethics complaint being filed last Thursday we will give these AT&T counsel the opportunity this week to address the issue before filing later next week..

If AT&T counsel was a legitimate explanation there could be no ethics complaint filed.

Mr Brown as the TA&T contact person please confirm for everyone that Mr Barillari has been given notice on the issue he was involved in.

Additionally Mr Brown have you contacted AT&T counsels:

James F. Bendoragel, Jr.(Sidley Austin DC)

C. John Buresh. (Sidley Austin DC)

Michael J. Hunseder (Sidley Austin DC)

David W. Carpenter (Sidley Austin Chicago Il)

Peter H. Jacoby (AT&T in house)

Lawrence Lafaro (AT&T in house)

Aryeh S. Friedman (AT&T in house)

which were counsels of record in AT&T's assertion to the DC Circuit that AT&T denied the transfer as per section 2.1.8's 15 day statute of limitation

Mr Brown please confirm receipt.

Al Inga Pres  
Tips Marketing

7/14/2008

----- Original Message -----

**From:** Mr. Inga

**To:** Mr. Inga ; chh@commlawgroup.com ; adllc@aol.com ; Brown, Richard ; fwhitmer@thelen.com

**Cc:** matthew.berry@fcc.gov ; Kay Richman ; Joel Kaufman ; Patrick Carney ; Sharon Kelley ; Jane Halprin ; ETHICS-CHRON ; Deena Shetler

**Sent:** Thursday, May 01, 2008 2:22 PM

**Subject:** Mr Berry----One additional issue that appears to be a scam....

Before filing an ethics complaint three AT&T counsel named below are being given the opportunity to address what appears to be yet another intentional AT&T counsel lie to a Court. This lie was to the NJ District Court.

The following is a draft of unethical AT&T counsel conduct and AT&T counsel has the documents to which are referenced.

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### **AT&T Counsel Intentionally Lies to District Court Judge Politan In An Effort to Delay Petitioners Case**

The following involves three AT&T counsel at the time:

Edward R. Barillari: NJ Bar member

Richard H Brown: NJ Bar member

Frederick L. Whitmer NY & NJ Bar member

#### **Background:**

Judge Politan of the NJ District Court was waiting for the FCC to decide a transmittal No. 9229. Initially transmittal 8179 was going to answer Judge Politan's question but AT&T withdrew it because the FCC informed AT&T that the proposed tariff change under (Transmittal change Tr. 8179) would only go into affect prospectively and therefore would not prohibit petitioners Jan 13<sup>th</sup> 1995 "traffic only" transfer. AT&T counsel withdrew the tariff transmittal in the 11th hour instead of facing adverse determination which would end the case against it.

AT&T never informed petitioners that it pulled the Tr. 8179 on June 2<sup>nd</sup> 1995. When petitioners finally found out, AT&T told the Judge Politan that it was replacing Transmittal 8179 with Transmittal 9229 and that new Tr. 9229 transmittal would answer the question as to whether petitioners could transfer its \$54 million in billing from 28% to 66% discount.

Transmittal 9229 was filed by AT&T on Oct 26<sup>th</sup> 1995 and went into affect as a new prospective AT&T tariff amendment on November 9<sup>th</sup> 1995.

Three months after AT&T's FCC filing on **Jan 23<sup>rd</sup> 1996** the petitioners and AT&T were back in Court before Judge Politan who wanted to know what the status was of Tr 9229 at the FCC.

AT&T counsel Mr Frederick L. Whitmer multiple times lied to Judge Politan that Tr 9229 was **still pending at the FCC** and AT&T counsels Mr Barillari and Mr Brown sat at the table and never corrected Mr Whitmer. AT&T counsel lied to Judge Politan to delay the proceedings for as long as possible.

Here at **exhibit Q** is the relevant excerpts of the transcription of the Jan 23<sup>rd</sup> 1996 oral argument in which AT&T counsel Fred Whitmer lies to the Judge Politan multiple times to delay the case.



The evidence shows that Mr Whitmer under pressure from Judge Politan during the same Jan 1996 oral argument hearing directed the Court's attention to a November 1995 certification at para 15 of his co-counsel Richard Meade.

The Meade certification explained at para 15 that AT&T's solution to the problem it had with section 2.1.8 was that when "traffic only" was transferred it would separate the non transferred plans revenue commitment and shortfall and termination obligations from the revenue that is being transferred; so AT&T's answer was to ask the transferor customer to put up deposits if it transferred a lot of traffic so AT&T would be able to collect shortfall charges.

Petitioners counsel Mr Helein got a hold of Judge Politan's attention and told Judge Politan to look at the very next paragraph (16) in AT&T counsel Mr Meade's certification, **here as exhibit R**, which confirmed that Tr 9229 already went into effect.

Transmittal 9229 was not pending before the FCC as Mr Whitmer lied it was, as it went into affect months earlier in November 1995. Mr Whitmer simply lied to the NJ District Court in an attempt to delay the case even longer.

Mr Whitmer had in his hands on Jan 23<sup>rd</sup> 1996 the November 1995 certification by AT&T counsel Mr. Meade. Mr. Whitmer's, co-counsels in Court that day (Mr Barillari and Mr Brown) did not offer to correct Mr Whitmer as Mr Barillari and Mr Brown were complicit in Mr Whitmer's intentional lie to the NJ District Court.

Mr Whitmer is being afforded the opportunity to explain why he intentionally lied to Judge Politan in Jan 1996 that transmittal 9229 was still pending when Mr Whitmer knew it was already FCC approved in Oct 1995 and took effect November 9th 1995.

Mr Brown please explain why you did not interject and correct your co-AT&T counsel as Mr Whitmer avoided answering Judge Politan's question regarding Tr 9229 status for a substantial amount of time. Please also forward this to AT&T counsel Mr. Edward R. Barillari for his comments.

Mr Whitmer is no longer an AT&T counsel and he is being copied in this email to allow him to explain what appears to be an egregious

misrepresentation to Judge Politan. Intentionally attempting to scam a federal judge is a very serious ethics violation. While it was Mr Whitmer who put on the show the other two AT&T counsels never corrected Mr Whitmer and also must be punished to a lesser extent.

Mr Whitmer is the author of"

*Litigation Is War, Strategy and Tactics for Litigation Battlefield* (West Legalworks, 2007)

It appears that part of his war strategy is to lie to Federal Judges. We do not think the FCC ethics staff would agree of such a strategy, nor would the NJ and NY ethics boards for which the legal war strategist Mr Whitmer is a member of.

We will give these 3 counsels the opportunity to explain what appears to be their unethical actions or non actions before Judge Politan and maybe no ethics claims will be brought against them.

We believe that these counsels should have the right to address their actions before the filing of ethics complaints to possibly avoid such a filing.

Sincerely,

Mr Inga Pres

Tips

7/14/2008

----- Original Message -----

**From:** Mr. Inga

**To:** Mr. Inga ; [chh@commlawgroup.com](mailto:chh@commlawgroup.com) ; [adllc@aol.com](mailto:adllc@aol.com) ; Brown, Richard ; Guerra, Joseph R.

**Cc:** [matthew.berry@fcc.gov](mailto:matthew.berry@fcc.gov) ; Kay Richman ; Joel Kaufman ; Patrick Carney ; Sharon Kelley ; Jane Halprin ; ETHICS-CHRON ; Deena Shetler

**Sent:** Thursday, May 01, 2008 10:02 AM

**Subject:** Mr Berry----

In reviewing the draft of the ethics complaint to be filed it is important to note that the following AT&T counsel were of record which submitted the egregious lie to the DC Circuit regarding AT&T meeting the 15 day statute of limitations within 2.1.8.

AT&T counsels submitting brief to DC Circuit on April 1st 2004:

James F. Bendernagel, Jr.(Sidley Austin DC)

C. John Buresh. (Sidley Austin DC)

Michael J. Hunseder (Sidley Austin DC)

David W. Carpenter (Sidley Austin Chicago Il)

Peter H. Jacoby (AT&T in house)

Lawrence Lafaro (AT&T in house)

Aryeh S. Friedman (AT&T in house)

Therefore AT&T counsel Mr Richard Brown was not involved in the DC Circuit scam and to ask him why he did not comment on that scam within his letter is not appropriate for Mr Brown to respond.

We do ask Mr Brown and Mr Guerra to contact that 7 AT&T counsel indicated above and maybe they can shed some light on why they needed to lie to the DC Circuit. If the reason is acceptable and evidence supplied we will not file an ethics complaint.

Mr Brown please contact each of these AT&T counsels and ask if they would like to comment, otherwise they can respond to the ethics boards.

We are taking the filing of ethics complaints very seriously. We are giving AT&T counsel the opportunity to defend itself and justify its actions without ethics complaints being filed against them. Not everyone would provide AT&T counsel such an opportunity.

We would like to hear from these counsels, so please contact each of them ASAP.

Thank you,

Mr Inga Pres

Tips Marketing Services, Corp.

----- Original Message -----

**From:** Mr. Inga

**To:** [chh@commlawgroup.com](mailto:chh@commlawgroup.com) ; [adllc@aol.com](mailto:adllc@aol.com) ; Brown, Richard

**Cc:** Guerra, Joseph R. ; JACOBY, PETER - LEGAL ; [matthew.berry@fcc.gov](mailto:matthew.berry@fcc.gov) ; Mr. Inga ; Kay Richman ; Joel Kaufman ; Patrick Carney ; Sharon Kelley ; Jane Halprin ; ETHICS-CHRON

**Sent:** Wednesday, April 30, 2008 9:26 PM

**Subject:** Mr Berry: AT&T counsel chose not to address everyone. Only petitioners counsel....

Dear AT&T Counsel Mr Brown

Your attached letter as usual does not provide any evidence regarding AT&T's "alter ego" position to justify filing sanctions against a non party. AT&T has simply provided zero evidence that the corporate veil has been pierced.

Mr Brown you seem to believe AT&T counsel can simply make any claim it wishes without providing evidence. Your letter comically points to your own erroneous position as your evidence.

If the FCC actually believed that Mr Inga was acting as an individual and not within his capacity as president of his companies, the FCC would not have allowed Mr Inga's companies to take opposite positions. As you are aware Mr Inga's Tips company within docket 07-278 benefit if the shortfall charges are legit and Mr Inga's other 4 companies under docket 06-210 benefit if the shortfall charges are **not** legit. In fact ---The FCC has already decided that Mr Inga is not personally involved in either case.

AT&T motioned for sanctions against Mr Inga "personally" was simply done because AT&T sought to harass Mr Inga. As you are aware Mr Inga is not personally a petitioner nor did Mr Inga ever make a public comment!

If your attached letter is the type of nonsense that you are going to present to the various ethics boards as evidence of AT&T's counsels justification to ask for sanctions against a non party you need to start looking for a new career as you are going to be disbarred; especially with this latest "no evidence" letter.

As you are aware under FCC rules there is no punishment available to the FCC against an individual within a declaratory ruling proceeding--let alone the FCC issuing sanctions against a NON-PARTY. There has never been a declaratory ruling case dismissed, as the FCC's only job within a declaratory ruling proceeding is to interpret non disputed facts.

Additionally, why didn't AT&T counsel address in its letter its intentional scam on the DC Circuit whereby AT&T counsel falsely advised the DC Circuit that the traffic transfer was denied within the 15 day statute of limitations period within section 2.1.8 C. Scamming the DC Circuit in AT&T's case vs. the FCC is a very serious ethics violation.

AT&T counsel is able to get away with not addressing its scam job on the DC Circuit within the public comments proceeding, but AT&T will not enjoy such a privilege before the ethics boards.

Don't send us any more letters trying to justify AT&T counsels actions unless you have them filled with evidence to support your position. The ethics boards look at evidence not AT&T positions. You better come up with a much better defense than the nonsense in the attached letter.

You were better off begging the FCC for forgiveness rather than trying justify your unethical conduct. without evidence.

AT&T counsels massive scam has wasted the Commissions valuable resources and it is time someone at the FCC makes future AT&T counsel understand that the Commission will not tolerate AT&T harassment and lies.

Mr Berry ---AT&T has stated that the ethics complaint must be filed under cover, as AT&T counsel does not want it to be made public. Is this mandatory?

Sincerely,

Al Inga Pres  
Tips Marketing Services, Corp.



-----Original Message-----

From: Brown, Richard <[rbrown@daypitney.com](mailto:rbrown@daypitney.com)>

To: [adllc@aol.com](mailto:adllc@aol.com)

Cc: Guerra, Joseph R. <[jguerra@Sidley.com](mailto:jguerra@Sidley.com)>

Sent: Wed, 30 Apr 2008 5:32 pm

Subject: CCI v. AT&T

Frank, please see attached.

Regards, Rich

Richard Brown

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7 Times Square

NY, NY 10036

212-297-5854 (v)

212-916-2940 (fax)

and

P.O. Box 1945

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